

OFFICE OF THE ELECTRICITY OMBUDSMAN

(A Statutory Body of Govt. of NCT of Delhi under the Electricity Act, 2003)

B-53, Paschimi Marg, Vasant Vihar, New Delhi – 110 057

(Phone No.: 32506011, Fax No.26141205)

Appeal No. F. ELECT/Ombudsman/2010/401

Appeal dated 27.10.2010 against Order dated 20.07.2010 passed by CGRF–BRPL in case no. CG/177/2010.

In the matter of:

Smt. Nirmala Devi - Appellant

Versus

M/s BSES Rajdhani Power Ltd. - Respondent

Present:-

Appellant Smt. Nirmala Devi was present alongwith
Shri Om Prakash

Respondent Shri Pramod Kumar Mishra, DGM and
Shri Anar Singh, S.O. attended on behalf of BRPL


Date of Hearing : 13.01.2011

Date of Order : 24.01.2011

ORDER NO.: OMBUDSMAN/2011/5/401

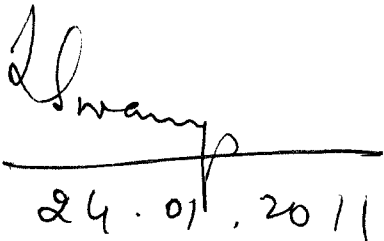
1.0 The Appellant, Smt. Nirmala Devi, has filed this appeal against /the order of the CGRF dated 20.07.2010 in CG 177/2010 requesting for setting aside the aforesaid order and for correction of her electricity bills.

1.1 The brief facts of the case as per records and averments of the parties are as under:-


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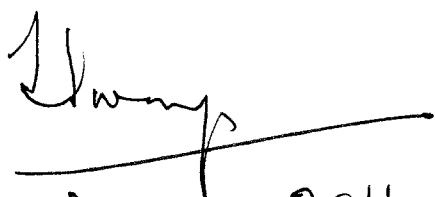
- a) The Appellant is the registered consumer of connection bearing K. No. 2541C7103405 with a sanctioned load of 1 KW for domestic purposes at her premises O-26/2, Saurabh Vihar, Jaitpur, Badarpur, New Delhi-110044.
- b) She complained to the Respondent, BSES-BRPL, about the discrepancies in the meter reading and excessive billing for 3000 units but no action was taken by BSES to refund the excess amount after correction of bill.
- c) The Appellant filed a complaint before the CGRF-BRPL, requesting for correction of the excessive bills received by her.

The Respondent stated before the CGRF that negative readings were observed when the meter was tested on 25.02.2010 and again on 23.04.2010. The old meter K. No. 22405550 was, therefore, replaced on 29.04.2010 and the same was sent to the meter testing lab of the BRPL at Pushp Vihar. The Lab Report brought out that the meter was faulty and the data register record was corrupted. Therefore for the meter defective period w.e.f. 30.11.2009 to 29.04.2010 electricity consumption was assessed by the Respondent by taking the period 13.11.2008 to 30.11.2009 as the base and the total assessed units worked out to 1755 for which the bill was raised alongwith current dues. The last correct reading recorded was 15427 on 30.11.2009 as per downloaded readings.


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- 2.0 The CGRF after considering the facts observed that the meter reading recorded on 30.11.2009 was correct, and thereafter, the meter became faulty as the downloaded meter readings were negative and the reading register became corrupted. As such, the meter was declared defective from 30.11.2009 to 29.04.2010. The CGRF, decided that the assessment of electricity consumption for the meter defective period was correctly done by the Respondent by taking the average consumption during the last twelve months as the base, and this was as per the DERC Regulations. The Appellant was also awarded a compensation of Rs. 500/- for the harassment cause to her.
- 3.0 The Appellant, not satisfied with the order of the CGRF, has filed the present appeal requesting for setting aside of the aforesaid order of CGRF and for correction of her bills.
- 3.1 The first hearing in the case was fixed on 13.01.2011 after scrutiny of the documents and after obtaining the required clarifications from the parties.

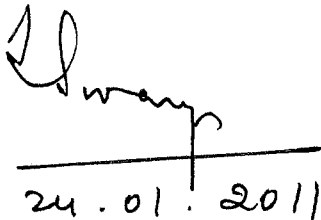
On 13.01.2011, the Appellant was present alongwith Shri Om Prakash. The Respondent was present through Shri Pramod Kumar Mishra (DGM) and Shri Anar Singh (S.O.).


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The Appellant argued that she has been regularly paying the bills as per the meter readings upto the reading '15427' on 30.11.2009. Thereafter the Respondent sent a wrong bill and she had also made some payments, which had not been accounted for. She also requested that she may be allowed to make payments in easy installments, as she had recently lost her husband. The Respondent stated that the consumer had been sent reading based bills upto 30.11.2009 when the last reading was 15427. Thereafter during routine checking of the meter on 25.02.2010, the reading was found to be '12573' and on subsequent checking on 21.04.2010 the reading was '13066', although on both occasions the meter was found to be accurate and working properly.

During Lab Testing however it was found that the cumulative data register was corrupted and the meter was declared to be faulty. The meter was replaced on 29.04.2010. The meter defective period i.e. 30.11.2009 to 29.04.2010 was assessed and a bill for 1755 units for Rs.5823.86 raised alongwith current dues.


- 4.0 It is evident from the perusal of the records and arguments of the parties that the meter was indeed faulty between 30.11.2009 to 29.04.2010, when it was replaced. The meter defective period in this case has been assessed according to the provisions of Regulation 43 of the DERC Supply Code and Performance Standards, 2007, which provides that a consumer is to be billed


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for the defective period, based on the estimated energy consumption of the consumer for the twelve months prior to the period during which the meter remained defective.

- 5.0 In view of the above, it is decided that an amount of Rs. 5,823.86 is payable by the consumer. The amount of Rs. 1,080/- already paid on 27.01.2010 by the consumer is to be adjusted against the dues. The consumer is directed to pay the balance amount alongwith the current dues without LPSC, in four bi-monthly installments. The CGRF has also awarded a compensation of Rs.500/- which may be paid by cheque. The case is accordingly disposed of.

24/1/2011 January 2011


(SUMAN SWARUP)
OMBUDSMAN